PETITION FOR ZONING VARIANCE 84-220-A TO THE ZONING COMMISSIONER OF BALTIMORE COUNTY: The undersigned, legal owner(s) of the property situate in Baltimore County and which is described in the description and plat attached hereto and made a part hereof, hereby petition for a Variance from Section / 13 02 3 B (2112 + 3041) To PERMIT A SIPE YAND RETURNEL OF 6" INSTEAD OF THE B ZHIRLD G of the Zoning Regulations of Baltimore County, to the Zoning Law of Baltimore County; for the following reasons: (indicate hardship or practical difficulty) DERIRE COVER TO PROTECT AGING SPONSE IN INCLEMENT WEATHER Property is to be posted and advertised as prescribed by Zoning Regulations. I, or we, agree to pay expenses of above Variance advertising, posting, etc., upon filing of this petition, and further agree to and are to be bound by the zoning regulations and restrictions of Baltimore County adopted pursuant to the Zoning Law For Baltimore County. I/We do solemnly declare and affirm, under the penalties of perjury, that I/we are the legal owner(s) of the property which is the subject of this Petition. Contract Purchaser: HOWARD IT HARRIS 7516 BUNCE GEORGERD 484-1914 BALTIMORE MARYLAND 2/207 required by the Zoming Law of Baltimore County, 1 two newspapers of general circulation throughout Baltimore County, that property be posted, and that the public hearing be had before the Zoning Commissioner of Baltimore County in Room 106, County Office Building in Towson, Baltimore County, on the \_\_\_\_\_5th \_\_\_\_ day of \_\_\_\_March \_\_\_\_, 19\_84\_, at 10:15\_ o'clock \_A\_\_M. AND THE STATE OF T

ZONING PLANS ADVISORY COMMITTEE PETITION AND SITE PLAN EVALUATION COMMENTS

BALTIMORE COUNTY

Mr. 5 Mrs. Howard M. Harris 7516 Prince George Road Baltimore, Mdd 21207 BALTIMORE COUNTY OFFICE OF PLANNING & ZONING County Office Building 111 W. Chesapeake Avenue Towson, Maryland 21204 Your petition has been received and accepted for filing this day of January, 1984 Zoning Commissioner Petitioner Howard M. Harris, et ux Received by Micholas B. Commodari Chairman, Zoning Plans Advisory Committee

February 23, 1984 Mr. & Mrs. Howard M. Harris COUNTY OFFICE BLDG. 111 W. Chesapeace Ave. Towson, Maryland 2120 7516 Prince George Road Baltimore, Maryland 21207

BALTIMORE COUNTY ZONING PLANS ADVISORY COMMITTEE

RE: Item No. 164 - Case No. 84-220-A Petitioner - Howard M. Harris, et ux Variance Petition

Dear Mr. Harris:

Nicholas B. Commudar.

Chairman

Butcau of

Department of

Hemith Department

Project Planning

Industrial

State Roads Commissi Building Department Board of Education Zoning Administration

The Zoning Plans Advisory Committee has reviewed the plans submitted with the above referenced petition. The following comments are not intended to indicate the appropriateness of the zoning action requested, but to assure that all parties are made aware of plans or problems with regard to the development plans that may have a bearing on this case. The Director of Planning may file a written report with the Zoning Commissioner with recommendations as to the suitability of the requested zoning.

Enclosed are all comments submitted from the members of the Committee at this time that offer or request information on your petition. If similar comments from the remaining members are received, I will forward them to you. Otherwise, any comment that is not informative will be placed in the hearing file. This petition was accepted for filing on the date of the enclosed filing certificate and a hearing scheduled accordingly hearing scheduled accordingly.

Very truly yours,

Richard D. Commedery NICHOLAS B. COMMODARI Chairman Zoning Plans Advisory Committee

Enclosures

NBC:bsc

BALTIMORE COUNTY
DEPARTMENT OF PUBLIC WORKS
TOWSON, MARYLAND 21204 Harry J. Pistel, P. E. Director

February 17, 1984

Mr. Arnold Jablon Zoning Commissioner County Office Building Towson, Maryland 21204

Re: Item #164 (1983-1984) Property Owner: Howard M. Harris, et ux N/ES Prince George Rd. 74.4' N/W Sheldwood Rd. Acres: 70 X 110 District: 3rd

Dear Mr. Jablon:

The following comments are furnished in regard to the plat submitted to this office for review by the Zoning Advisory Committee in connection with the subject

General:

Baltimore County highway and utility improvements exist and are not directly involved.

Development of this property through stripping, grading and stabilization could result in a sediment pollution problem, damaging private and public holdings downstream of the property. A grading permit is, therefore, necessary for all grading, including the stripping of top soil.

The Petitioner must provide necessary drainage facilities (temporary or permanent) to prevent creating any nuisances or damages to adjacent properties, especially by the concentration of surface waters. Correction of any problem which may result, due to improper grading or improper installation of drainage facilities, would be the full responsibility of the Petitioner.

This office has no further comment in regard to the plan submitted for Zoning Advisory Committee review in connection with this Item 164 (1983-1984).

Bureau of Public Services

RAM: EAM: FWR: ss

23 & 24 NW 24 Pos. Sheets NW 6 F Topo 76 Tax Map

BALTIMORE COUNTY
DEPARTMENT OF TRAFFIC ENGINEERING
TOWSON, MARYLAND 21204 STEPHEN E. COLLINS DIRECTOR February 6, 1964 Mr. Arnold Jablon Zoning Commissioner County Office Building Towson, Maryland 21204 Item No. 158, 159, 162, 164, 165. -ZAC- Meeting of January 3, 1984 Property Owner: Location: Existing Zoning: Proposed Zoning: Acres: District: Dear Mr. Jablon: The Department of Traffic Engineering has no comments for item numbers 158, 159, 162, 164, and 165.

MSF/ccm

BALTIMORE COUNTY, MARYLAND INTER-OFFICE CORRESPONDENCE Arnold Jablon, Zoning Commissioner Date February 13, 1984 TO Office of Planning and Zoning FROM Ian J. Forrest SUBJECT Zoning Variance Items Meeting - January 3, 1984

> The Baltimore County Department of Health has reviewed the following zoning items and does not anticipate any health hazards at this time regarding these items.

> > Item # 158 - Caroline Leona Ward Item # 161 - Helen L. Geppert

Item # 162 - Middle River Volunteer Fire Company, Inc.

Item #164 - Howard M. Harris, et ux Item # 165 - Dollie Jo Gleaton

> Ian J. Forrest, Director BUREAU OF ENVIRONMENTAL SERVICES

LJF/fth

BALTIMORE COUNTY
FIRE DEPARTMENT
TOWSON, MARYLAND 21204
825-7310

PAUL H. REINCKE CHIEF

Mr. William Hammond Toning Commissioner Office of Planning and Zoning

Baltimore County Office Building Towson, Maryland 21204

Attention: Nick Commodari, Chairman Zoning Plans Advisory Committee

RE: Property Owner: Howard M. Harris, et ux Location: NE/S Prince George Road 74.4' N/W Sheldwood Road

zoning Agenda: Meeting of January 3, 1984 Item No.: 164

February 14, 1984

Pursuant to your request, the referenced property has been surveyed by this Bureau and the comments below marked with an "X" are applicable and required to be corrected or incorporated into the final plans for the property.

( ) 1. Fire hydrants for the referenced property are required and shall be located at intervals or \_\_\_\_\_ feet along an approved road in accordance with Baltimore County Standards as published by the Department of Public Works.

( ) 2. A second means of vehicle access is required for the site.

( ) 3. The vehicle dead end condition shown at

EXCEEDS the maximum allowed by the Fire Department.

The site shall be made to comply with all applicable parts of the Fire Prevention Code prior to occupancy or beginning of operation.

(X) 5. The buildings and structures existing or proposed on the site shall comply with all applicable requirements of the National Fire Protection Association Standard No. 101 \*Life Safety Code\*, 1976 Edition prior

to occupancy.

( ) 6. Site plans are approved, as drawn.

( ) 7. The Fire Prevention Bureau has no comments, at this time.

Special Inspection Division

Traffic Engineering Assoc. II

AUG 27 1984

Pursuant to the advertisement, posting of property, and public hearing on the Petition and it appearing that strict compliance with the Baltimore County Zoning Regulations would/would not result in practical difficulty and unreasonable hardship upon the Petitioner(s) and the granting of the variance(s) requested will/will not adversely affect the health, safety, and general welfare of the community, the variance(s) should /should not be granted. Therefore, IT IS ORDERED by the Zoning Commissioner of Baltimore County, this day of \_\_\_\_\_\_, 19\_\_\_\_\_, that the herein Petition for Varience(s) to permit

BALTIMORE COUNTY
OFFICE OF PLANNING & ZONING
TOWSON, MARYLAND 21204
494-3353

ARNOLD JABLON ZONING COMMISSIONER

March 6, 1984

Mr. & Mrs. Howard M. Harris 7516 Prince George Road Baltimore, Maryland 21208

IN RE: Petition Zoning Variance NE/S of Prince George Road, 74.4' NW of Shelowood Road (7516 Prince George Road) -3rd Election District Howard M. Harris, et ux,

Petitioners Case No. 84-220-A Dear Mr. & Mrs. Harris:

I have this date passed my Order in the above-referenced matter in accord-

ARNOLD JABRON Zoning Commissioner

AJ/srl Attachments

cc: People's Counsel

ance with the attached.

BALTIMORE COUNTY
DEF. RIMENT OF PERMITS & LICENSES TOWSON MARYLAND 21204 TED ZALESKI, JR. January 20, 1984 Mr. Arnold Jablon, Zoning Commissioner Office of Planning and Zoning County Office Building Towson, Maryland 21204 Dear Mr. Jablon: Comments on Item # 164 Zoning Advisory Committee Meeting are as follows: Property Owner: Howard M. Harris, et ux
Location: NE/B Prince George Road 74.4' N/W Sheldwood Road
Existing Zoning: D.R. 5.5
Proposed Zoning: Wordense Proposed Zoning: U.M. 5.5
Variance to permit a side yard setback of 1'6" in lieu of the required 6' for open carport. B. A building/ & other / permit shall be required before beginning construction. C. Residential: Three sets of construction drawings are required to file a permit application. Architect/Engineer seal is/is not required. Non-reproduced seals and signatures are required on Plans and Technical Data. D. Commercial: Three sets of construction drawings with a Maryland Registered Architect or Engineer shall be required to file a permit application. E. An exterior wall erected within 6'0 for Commercial uses or 3'0 for One & Two Family use group of an adjacent lot line shall be of one hour fire resistive Family use group of an adjacent lot line shall be of one hour fire resistive construction, no openings permitted within 3'0 of lot lines. A firewall is required if construction is on the lot line, see Table 401, line 2, Section 11.07 and Table 14.02, also Section 503.2. (3:0° permissible under R-203 of one & two family Code. Non-combustible post may be acceptable for a completely open family Code. Non-combustible post may be acceptable for a completely open service.

F. Requested variance appears to conflict with the Baltimore County Building Code, structure. G. A change of occupancy shall be applied for, along with an alteration permit a change of occupancy shall be applied for, along that at all the structure application, and three required sets of drawings indicating how the structure will meet the Code requirements for the proposed change. Drawings may require a professional seal. H. Before this office can comment on the above structure, please have the owner, thru the services of a Registered in Maryland Architect or Engineer certify to this office, that, the structure for which a proposed change in use is proposed can comply with the height/area requirements of Table 505 and the required construction classification of Table 401. NOTE: These comments reflect only on the information provided by the drawings submitted to the office of Planning and Zoning and are not intended to be construed as the full extent of any permit. If desired, additional information may be obtained by visiting Room 122 (Plans Review) at 111 W. Chesapeake Ave. February 7, 1984 Mr. & Mrs. Howard M. Harris 7516 Prince George Road Baltimore, Maryland 21208 NOTICE OF HEARING Re: Petition for Variance NE/S of Prince George Rd., 74.4 ft. NW of Shelowood Road (7516 Prince George Road) Howard M. Harris, et ux - Petitioners Case No. 84-220-A TIME: 10:15 A.M. DATE: Monday, March 5, 1984 PLACE: Room 106, County Office Building, 111 West Chesapeake Avenue, Towson, Maryland

> Zoning Compilssioner of Baltimore County

No. 122931 BALTIMORE COUNTY, MARYLAND OFFICE OF FINANCE REVENUE DIVISION MISCELLANEOUS CASH RECEIPT 01-615 C 566\*\*\*\*\*356016 5174A VALIDATION OR SIGNATURE OF CASHIER

BALTIMORE COUNTY PUBLIC SCHOOLS

Towson, Maryland - 21204

Date: January 3, 1984

Mr. Arnold Jablon Zoning Commissioner Baltimore County Office Building 1111 West Chesapeak Avenue Towson, Maryland 21204

Robert Y. Dubel, Superintendent

Z.A.C. Meeting of: January 3, 1984 PE: Item No: 158,159,160,161,162,163,164)165,166,167, ξ 168. Property Owner: Location: Present Zoning: Proposed Zoning:

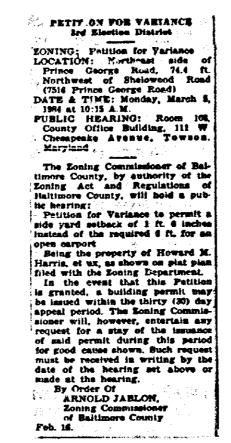
District: No. Acres:

Dear Mr. Jablon: The above items have no bearing on student population.

> Very truly yours, War with tetrent Wm. Nick Petrovich, Assistant Department of Planning

WNP/1h

84-220-A CERTIFICATE OF PUBLICATION



TOWSON, MD., February 16 19 64 THIS IS TO CERTIFY, that the annexed advertisement was published in THE JEFFERSONIAN, a weekly newspaper printed and published in Towson, Baltimore County, Md., once cin xeach of one time xqueessive weeks before the 5th day of \_\_\_\_\_\_ March \_\_\_\_, 19\_84 , the first publication appearing on the 16th day of \_\_\_\_\_ February

THE JEFFERSONIAN, G. Leank Siruston

Cost of Advertisement, \$\_\_18.00

CERTIFICATE OF POSTING ZONING DEPARTMENT OF BALTIMORE COUNTY

Date of Posting 2-14-84 Posted for: Manual Maria et us

Petitioner: Howard M Harris et us

Location of property: NE/S of Prince Teorge Roll. 74. 4 ft NW

Malloward Roll

Location of Signs: NE/Side of Prince George Roll in front

of 70-16 Prince Groupe Roll Posted by A. Quala Date of return: 2-24-5-4

TO SERVER THE ENTRY OFF TOUR PART FET PETITION FOR WARRANCE NEZS Trince Secrete Plan Thank CE PALTITIES OF NIX in of Chelewood Pd. (7516 Prince George Ed.). 3rd District : Caue No. c4-110-A HOWARD M. HAFRIS, et ux, Petitioners ::::::

ENTRY OF AFFEAFANCE

Please enter the appearance of the People's Counsel in the above-captioned matter. Notices should be sent of any hearing dates of other proceedings in this matter and of the passage of any preliminary or final Order.

People's Counsel for Baltimore County

Peter Max Zimmerman Deputy People's Counsel Rm. 223, Court House Towson, MD 21204 494-2188

I HEREBY CERTIFY that on this 16th day of February, 1984, a copy of the foregoing Entry of Appearance was mailed to Mr. and Mrs. Howard M. Harris, 7516 Prince George Road, Baltimore, ND 21308, Petitioners.

Phyllis Cole Friedman

LEGAL NOTICE (\*) PETITION FOR VARIANCE
3rd Election District
20NING: Petition for Variance
LOCATION: Northeast side of Prince George
Road, 74.4 ft. Neglander or Shelowood Road
(7516 Prince George Road)
DATE & TIME: Monday, March \$, 1984 at 10:15
A M. A M.
PUBLIC HEAPING: Room 105. County Office
Building. 111 W. Chespeake Avenue,
Towson, Maryland
The Zoning Commissioner of Baltimore County, by authority of the Zoning Act and Regulations of Baltimore County, w/1 noid e. public hearing. Department:

In the event that this Petrition is granted, a building permit may be issued within the thirty (30) day appeal period. The Zoning Commissioner will, however, entertain any request for a stay of the resuance of said permit suring this period for good cause shows. Such request must be received in writing by the date of the hearing set above or made at the hearing.

CELTIFICATE OF PUBLICATION

52470

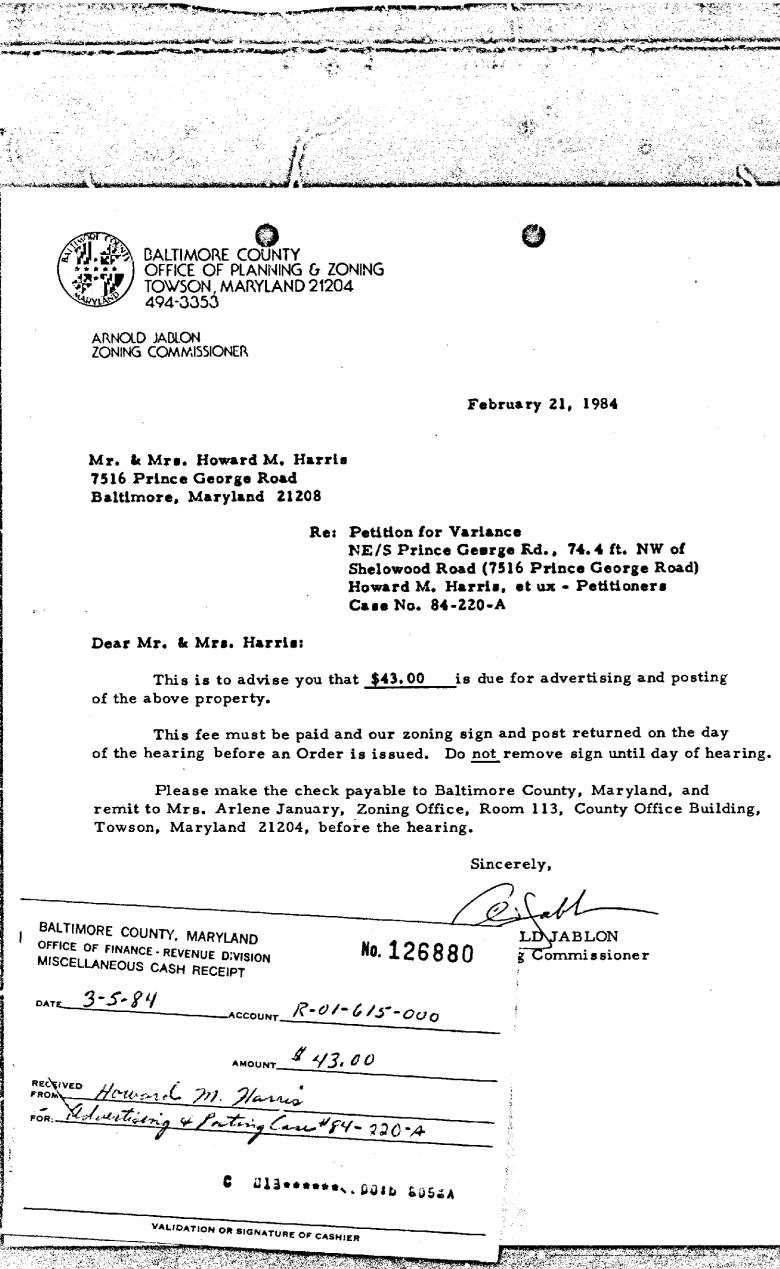
Fikesville, Md., Feb. 15 19 84 EnTIFY, that the annexed advertisment Sining the property of Howard M. Harris, at us, as shown on pist plan Need with the Zoning . In the HORTHWEST STAR, a weekly ublished in Pikesville, Baltimore yland before the 5th day of

CONNING COMMISSIONER Sublication appearing on the \_\_oay of Feb. the secend publication appearing on the

the third publication appearing on the

THE NORTHWEST STAR

Cost of Advertisement\_



LDJABLON No. 126880 g Commissioner R-01-615-000 C 013 ..... 0010 5058A 1. whether strict compliance with requirement would unreasonably prevent the use of the property for a permitted purpose or render conformance unnecessarily burdensome; 2. whether the grant would do substantial injustice to applicant as well as other property owners in the district or whether a lesser relaxation than that applied for would give substantial relief; and 3. whether relief can be granted in such fashion that the spirit of the ordinance will be observed and public safety and welfare secured. Anderson v. Bd. of Appeals, Town of Chesapeake Beach, 22 Md. App. 28 (1974). It is clear from the testimony that if the variance were granted, such use as proposed would not be contrary to the spirit of the BCZR and would not result in substantial detriment to the public good. After due consideration of the testimony and evidence presented. it is clear that a practical difficulty or unreasonable hardship would result if the instant variance were not granted. It has been established that the requirement the Petitioners seek relief from here would unduly restrict the use of the land due to the special conditions unique to this particular parcel. In addition, the variance requested will not be detrimental to the public health, safety, and general welfare. Pursuant to the advertisement, posting of the property, and public hearing on this Petition held, and for the reasons given above, the variance requested ould ∯e granted. herefore, IT IS ORDERED by the Zoning Commissioner of Baltimore County, day of March, 1984, that the Petition for Variance to permit a side ward setback of 12 feet instead of the required six feet be and is hereby

GRANTED from and after the date of this Order, subject to the following:

The Petitioners may apply for their building permit and be granted same upon receipt of this Order; however,

Petitioners are hereby made aware that proceeding at

ORDER

February 21, 1984

Sincerely,

applicable appellate process from this Order has expired. If, for whatever reason, this Order is reversed. the Petitioners would be required to return. and be responsible for returning, said property to its original condition. Baltimore County - 3 -

Beginning at a point on the Northeast side of Prince George Road,

74.4 ft. Northwest of Shelowood Road and known as Lot 13, Block H of

Plat Book 26, folio 114. Also known as 7516 Prince Coorge Road.

Willow Glen and recorded among the Land Records of Baltimore County in

PETITION FOR VARIANCE 3rd Election District Petition for Variance ZONING: Northeast side of Prince George Road, 74.4 ft. Northwest LOCATION: of Shelowood Road (7516 Prince George Road) Monday, March 5, 1984 at 10:15 A.M. DATE & TIME: PUBLIC HEARING: Room 106, County Office Building, 111 W. Chesapeake Avenue, Towson, Maryland The Zoning Commissioner of Baltimore County, by authority of the Zoning Act and Regulations of Baltimore County, will hold a public hearing: Petition for Variance to permit a side yard setback of 1 ft. 6 inches instead of the required 6 ft. for an open carport Being the property of Howard M. Harris, et ux, as shown on plat plan filed with the Zoning Department. In the event that this Petition is granted, a building permit may be issued within the thirty (30) day appeal period. The Zoning Commissioner will, however, entertain any request for a stay of the issuance of said permit during this period for good cause shown. Such request must be received in writing by the date of the hearing set above or made at the hearing. BY ORDER OF

ARNOLD JABLON

ZONING COMMISSIONER

OF BALTIMORE COUNTY

MU6-1 VICINITY MAP 一「おいりつまたり ראנאנט (ינבאימ) 5115, DVIS. PRINCE GEORGE RO (GO 3/N) PLAT FOR SUNAL MANNET ONNER! HOWARDM. STOTH HARRIES EN DISTRICT, SUSTING DIVING CHIS.E WILLOW GLEY , LOT /5, BLK H BOOK Nº 26 FOUD 14 FXISTING UTILITIES IN PRINCE CEXCE 的。

Tion 1/160

CCHLE! 1"= 40"

IN BE: FETITION ZONING VARIANCE PEFORE THE NE/S of Frince George Road, 74.4° NW of Shelowood Foad \* ZONING COMMISSIONER (7516 Frince George Foad) -3rd Election District OF FALTIMORE COUNTY Howard M. Harris, et ux, Case No. 84-220-A Fetitioners • . . . . . . . . . . . .

FINDINGS OF FACT AND CONCLUSIONS OF LAW

The Petitioners herein request a variance to permit a side yard setback of 1} feet instead of the required six feet. The purpose of their request is to construct an open carport, as more fully described on Fetitioners' Exhibit 1.

The Petitioner, Howard M. Harris, appeared and testified. There were no Protestants.

Testimony indicated that the Petitioners have lived on the subject property, zoned D.R.5.5, for approximately 20 years. A single-family dwelling presently exists with a driveway extending about 70 feet from Prince\_George Road on the east side of the house. The Petitioners wish to construct a 12' x 20' carport attached to a covered patio which is a part of the house. A door leads to the patio from a laundry room, and the carport would provide shelter from inclement weather from the covered patio to the automobiles.

The Petitioners are senior citizens and require the added protection a carwould provide. Additionally, other homes in the neighborhood have car-

the Petitioners seek relief from Section 1802.3.8 (211.3 and 301.1), pursuant to Section 307, of the Baltimore County Zoning Regulations (BCZR).

An area variance may be granted where strict application of the zoning regulation to the petitioner and his property would cause practical difficulty. Mozan v. Soley, 270 Md. 208 (1973). To prove practical difficulty for an area variance, the petitioner must meet the following:

## BALTIMORE COUNTY, MARYLAND

INTER-OFFICE CORRESPONDENCE

Arnold Jablon TO Zoning Commissioner Date February 16, 1984 Norman E. Gerber, Director FROM Office of Planning and Zoning

SUBJECT Howard M. Harris, et ux - 84-220-A

There are no comprehensive planning factors requiring comment on this petition.

Office of Planning and Zoning

NEG/JGH/sf

